

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN, DETROIT DIVISION

In re:

Alphante Reese Berry

Case No. 05-80977-MBM

Chapter 13

**APPLICATION FOR PAYMENT FROM UNCLAIMED FUNDS**

The undersigned, Dilks & Knopik, LLC, Applicant and Attorney-in-Fact for Bank of America Corporation, Claimant, applies to the Bankruptcy Court for the Eastern District of Michigan for entry of an order directing the Clerk of the Court to remit to the applicant the sum of \$1,328.62, which is the sum of all said funds having been deposited into the Treasury of the United States pursuant to an order of the Court as unclaimed funds for creditor MBNA and Claim Number 10. The applicant further states that:

1. (Indicate one of the following)

\_\_\_\_\_ Applicant is the creditor named in the above case and states that no other application for this claim has been submitted by or at the request of the creditor

  X   Applicant is the duly authorized representative for the business or Corporation named as the creditor. Applicant has reviewed all records of the creditor and states that no other application for this claim has been submitted by or at the request of this creditor, to the best of Applicants knowledge and belief. An Affidavit of Creditor is attached and made part of this application.

\_\_\_\_\_ Applicant is either a family member of the deceased creditor or a successor in interest to the individual or business named as the creditor. An original "power of attorney" conforming to the official Bankruptcy Form and/or other supporting documents, which indicated the applicants' Entitlement to this claim is attached and made part of this application.

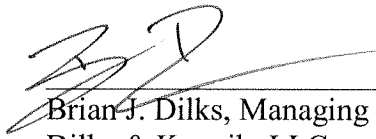
2. Applicant has made sufficient inquiry and has no knowledge that this claim has been previously paid, that any other application for this claim is currently pending before this court, or that any party other than the claimant is entitled to submit an application for this claim.

Application for Payment from Unclaimed Funds

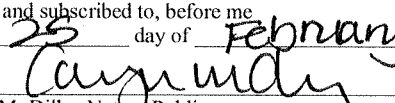
3. The creditor's current mailing address and phone number are:

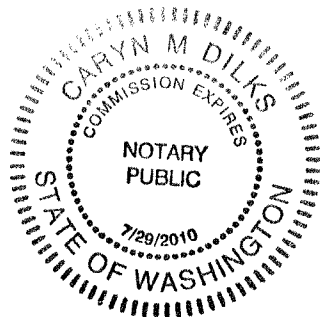
Bank of America Corporation  
401 North Tryon Street  
Charlotte, NC 28255  
980.387.5985  
SS# or Tax ID: 7665

Respectfully submitted this February 25, 2010.

  
\_\_\_\_\_  
Brian J. Dilks, Managing Member  
Dilks & Knopik, LLC  
PO Box 2728  
Issaquah, WA 98027-0125  
(425) 836-5728  
Tax ID #: 74-3049851

Sworn and subscribed to, before me  
this 25 day of February 2010

  
\_\_\_\_\_  
Caryn M. Dilks, Notary Public  
for State of Washington, County of King  
Commission Expires: July 29, 2010



UNITED STATES BANKRUPTCY COURT  
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**PROOF OF SERVICE**

I, the undersigned, hereby certify that on February 25, 2010, a copy of the Application for Payment From Unclaimed Funds by Dilks & Knopik, LLC, Applicant and Attorney-in-Fact for Bank of America Corporation, Claimant and Creditor in the above captioned case, was served on the United States Attorney for the Eastern District of Michigan at the following address:

U.S. Attorney for the Eastern District of Michigan  
Attn: Michael Wicks, Civil Division- Financial Litigation  
211 West Fort Street, Suite 2001  
Detroit, MI 48226-3211

Dated: February 25, 2010

By: 

Brian J. Dilks, Managing Member  
Dilks & Knopik, LLC  
PO Box 2728  
Issaquah, WA 98027-0125  
(425) 836-5728  
Tax ID #: 74-3049851

# LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I,

**Karen Hartford Polk, AVP; Recovery Solutions of Bank of America Corporation ("Bank of America")**, acting on behalf of Bank of America hereby appoint **Dilks & Knopik, LLC**, in the person of one of its principal officers, as Bank of America's lawful attorney-in-fact to seek recovery of the undistributed, unclaimed, or undelivered tenders of funds of:

**MBNA in the amount of \$1,328.62 from the EASTERN DISTRICT OF MICHIGAN**

held by the United States, by a state, or by an agency or instrumentality of either, hereby revoking all previous powers of attorney in this regard to whomever granted.

Bank of America further grants the attorney authority to do whatever is necessary and proper to recover the aforementioned unclaimed funds only, as fully as it might or could do if acting through its own officers or agents, hereby confirming all that the attorney shall lawfully do or cause to be done. Nevertheless, the attorney shall have no authority to incur any financial obligation or to make any expenditure on behalf of Bank of America, other than an expenditure payable from any sums recovered by virtue of the attorney's actions.

In construing this instrument where the context so requires, the singular includes the plural. This Power of Attorney shall expire 180 days from the date hereof or upon collection of the aforementioned unclaimed funds, if earlier, unless otherwise extended by an amendment, which is attached hereto.

Signed this 12 day of February, 2010

**Bank of America Corporation**



**Karen Hartford Polk  
AVP; Recovery Solutions**

MBNA  
C/O Bank of America

Federal Taxpayer ID: ~~000000~~ 97665

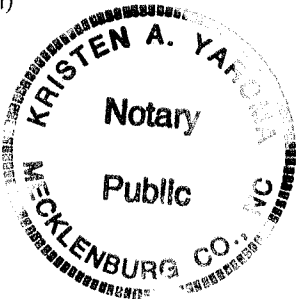
State of North Carolina County of Mecklenburg Date: February 12, 2010

The above-named Karen Hartford Polk, known to me to be the individual described in [and holding the position designated in] the foregoing instrument, appeared before me and acknowledged the execution thereof to be his/her free act and deed.

Before me:

  
Notary Public

(Notary Seal)



My commission expires:

3/20/2014

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN

In re:

Alphante Reese Berry

Case No. 05-80977-MBM

Chapter 13

**AFFIDAVIT OF CLAIMANT**

I, Karen Hartford Polk, AVP; Recovery Solutions of Bank of America Corporation, do hereby state that Bank of America Corporation is the claimant to the unclaimed funds referenced in this application and that Bank of America Corporation, to the best of my knowledge, the legal owner of these funds.

Mailing address:

401 North Tryon Street  
NC1-021-03-40  
Charlotte, NC 28255

Phone Number: 980.387.5985

Tax Identification Number: ~~980.387.5985~~ 7665

1. Claimant History: That MBNA is a subsidiary of MBNA Corporation. MBNA Corporation and its subsidiaries and affiliates merged into Bank of America Corporation. MBNA is subsequently a subsidiary of Bank of America Corporation.

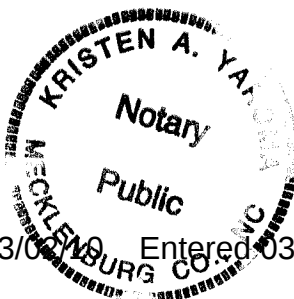
2. I (or the company which I represent) neither have previously received remittance for this claim nor contracted with any other party other than the person named in item one above to recover these funds.

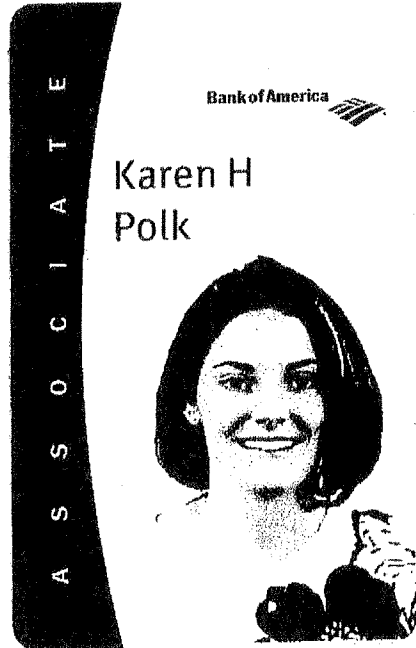
I declare under the penalty of perjury that the foregoing copy is true and correct.

Dated: February 12, 2010

Karen Hartford Polk  
Karen Hartford Polk

Sworn to and Subscribed before me this  
12 day of February, 2010  
[Signature]  
NOTARY PUBLIC AT LARGE  
STATE OF 3/28/2014





AFFIDAVIT OF CREDITOR'S  
Access to claimant's corporate seal

**BE IT ACKNOWLEDGED**, that I, Karen Hartford-Polk, the undersigned deponent, belonging to the legal age, do hereby depose and say under the pains and penalties of perjury as follows:

That I, Karen Hartford-Polk, am the Assistant Vice President of Bank of America Corporation. My responsibilities include, but are not limited to, the recovery and/or collection of outstanding checks and receivables of Bank of America Corporation and its subsidiaries/acquisitions or affiliates. Bank of America Corporation and its subsidiaries/acquisitions or affiliates have recoveries and/or collection of outstanding checks and receivables collected through its Charlotte, NC office. However, I do not have readily access to the Bank of America Corporation corporate seal. For this reason, it is overly burdensome and, in some cases, may be impossible to provide a corporate seal impression on the documents enclosed in this motion.

I affirm that the foregoing is true, under the penalties of perjury this 13 day of April, 2007

Karen Hartford-Polk  
Karen Hartford-Polk Assistant Vice President  
Bank of America Corporation  
NC1-023-15-01  
525 North Tryon Street  
Charlotte, NC 28255

STATE OF NC

COUNTY OF Mecklenburg

On this 13 day of April, 2007 before me Karen Hartford-Polk personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the with in instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Signature

Affiant: Known X or Produced ID \_\_\_\_\_  
Type of ID \_\_\_\_\_

My commission expires: 6/25/2011

AFFIDAVIT OF CREDITOR'S  
PREVIOUS ADDRESS

**BE IT ACKNOWLEDGED**, that I Karen Hartford-Polk, the undersigned deponent, belonging to the legal age, do hereby depose and say under the pains and penalties of perjury as follows:

That I, Karen Hartford-Polk, am the AVP; Recovery Solutions of Bank of America Corporation. My responsibilities include, but are not limited to, the recovery and/or collection of outstanding checks and receivables of Bank of America Corporation and its subsidiaries/acquisitions or affiliates. Bank of America Corporation and its subsidiaries/acquisitions or affiliates have numerous branch addresses, business locations, and payment centers. The addresses of which change and/or are eliminated over time.

For this reason, it is overly burdensome, and may be impossible, to provide documentation to verify the specific address of record.

I affirm that the foregoing is true, under the penalties of perjury this 19 day of February 2008

Karen Hartford-Polk

Karen Hartford-Polk  
AVP; Recovery Solutions  
Bank of America Corporation  
525 N. Tyron  
NC1-023-15-01  
Charlotte, NC 28255

STATE OF NC

COUNTY OF Mecklenburg

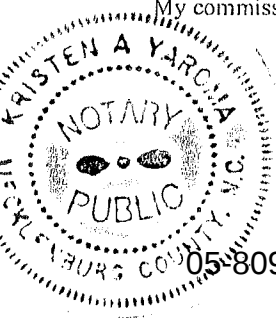
On this 19 day of February, 2008 before me Karen Hartford-Polk personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the with in instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Meekette Syrona  
Signature

Affiant: Known ☒ or Produced ID ☐  
Type of ID \_\_\_\_\_

My commission expires: 3/28/2009







LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I,

Jeff Lambert, Vice President of Bank of America N.A. ("Bank of America"), acting on behalf of Bank of America hereby appoint Karen Hartford Polk, as Bank of America's lawful attorney-in-fact to seek recovery of the undistributed, unclaimed, or undelivered tenders of funds belonging to Bank of America or any of its entities or predecessors, held by the United States, by a state or local municipality, or by an agency or instrumentality of either, hereby revoking all previous powers of attorney in this regard to whomever granted.

Signed this 7 day of May, 2008

Bank of America N.A.

By Jeff Lambert  
Jeff Lambert  
Vice President

Affix  
Corporate Seal

Bank of America N.A.

Federal Taxpayer ID 94-0687665

State of North Carolina County of Mecklenburg May 7, 2008

The above-named Jeff Lambert known to me to be the individual described in [and holding the position designated in] the foregoing instrument, appeared before me and acknowledged the execution thereof to be his/her free act and deed.

Before me:

Shirley S. Scurro  
Notary Public

(Notary Seal)

My commission expires: 3/28/2009

